IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 11956 of 2004

For Approval and Signature:

HONOURABLE MR.JUSTICE H.K.RATHOD

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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KHAMBHALIYA NAGARPALIKA THRO CHIEF OFFICER - Petitioner(s)

Versus

MAHENDRASINH PRATAPSINH GOHIL & 12 - Respondent(s)

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Appearance :

MR MANOJ N POPAT for Petitioner(s) : 1,

MR KISHOR M PAUL for Respondent(s) : 1 - 13.

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CORAM : HONOURABLE MR.JUSTICE H.K.RATHOD

Date : 17/01/2006

ORAL JUDGMENT

Heard learned advocate Mr. Manoj N. Popat for petitioner and Mr. Kishor M. Paul for respondent. In this petition, petitioner has challenged order passed by Industrial Tribunal, Rajkot dated 5th July, 2004 in Complaint (IT) NO. 16 of 2004 wherein Industrial Tribunal has dismissed complaint and also vacated interim order dated 15th April, 2004 and directed petitioner to give reasonable opportunity of hearing and to follow procedure prescribed in law before terminating service of respondents. Shri Manoj N. Popat submitted that after challenge of said order, service of respondent has been terminated by petitioner. This statement made by Mr. Popat has not been opposed by Mr. Paul, learned advocate for respondent. In view of that and also in view of passage of time, this petition has become infructuous because of subsequent event of

termination of services of respondent. Therefore, this petition is disposed of as having become infructuous. Rule is discharged. Interim relief, if any, shall stand vacated. No order as to costs.

(H.K. Rathod,J.)

Vyas